(Stoke-on-Trent City Council)- Application for ordinary watercourse consent guidance notes

Introduction **Please read through these guidance notes and the application form carefully before you fill the form in.** If you are not sure about anything in these guidance notes, phone us on 01782 231933 between 9am and 5pm, Monday to Friday. These guidance notes give you information to help you fill in your application for Ordinary Watercourse Consent. If you fill in your application form correctly first time, we can process it quicker. **Before completing this form you are recommended to contact us for advice on your proposal.** Under the Land Drainage Act 1991, consent is required for any mill dam, weir, or like obstruction to flow. There is a charge of £50 for each structure or operation for applications made under the Land Drainage Act 1991 .	Please follow this guidance to help avoid delays in your application. Contents 1. Applicant details 2. Agent Details 3. Interest in the Land 4. Location of Work 5. Description and Purpose of Work 6. Plans and Sections 7. Construction Details 8. Environment Agency Interests 9. Planning Approvals 10. Maintenance of Structure 11. Effects on the Environment 12. Water Framework Directive Assessment 13. Fees 14. Checklist 15. Declaration

1 Applicant details

This is the name of the individual, organisation or company applying for consent. This should be given along with the name, addresses and telephone number of a person who can be contacted to discuss the proposal(s).

You must give us your full UK address. The address you give here will be the address we register your flood defence consent to and will be shown on any Ordinary Watercourse Consent we grant.

2 Agent details

You can nominate someone other than the person named on any ordinary watercourse consent (for example, a consultant or agent to act on your behalf). You need to give us your or the relevant person‟s full name, address and contact details.

If you complete this section, we will send all correspondence will be sent to the Agent. Leave blank if not applicable.

3 Your interest in the land

We need to know what interest you have in the land where the works will be carried out (for example, whether you are the landowner or tenant). If any work will be carried out on land that you do not own, you will need permission from whoever owns the land.

4 Location of the proposed works

We need to be able to easily identify where the proposed works will be carried out. Please give details of:

- The location of the site;
- The name of the watercourse; and
- The national grid Reference (12 figures)
- A site location Plan

5 Description and purpose of the proposed works.

It is important that you accurately describe the proposals in your application. Please tell us the purpose of the works and the number of structures you need consent for.

6 Plans and sections

To consider your proposals we need to receive plans and drawings, that should ideally be undertaken by a competent engineer or surveyor and showing Ordnance Datum Newlyn (the height above sea level)

You need to provide us with a copy of all relevant drawings. These can be submitted in hard copy or electronically (in pdf format). The drawings must be no

larger than A0 size, and they need to include the following.

- **Location Plan**

This should be at an appropriate scale and be based on an Ordnance Survey map. It must clearly show the general location of the site and include general features. It must also identify the watercourse or other bodies of water in the surrounding area.

- **Site plan (general arrangement)**

You must provide a plan of the site showing:

The existing site, including any watercourse;
Your proposals
The position of any structures which may influence local river hydraulics, including bridges, pipes and ducts, ways of crossing the watercourse, culverts and screens, embankments, walls, outfalls and so on; and Existing fish passes or structures intended to allow fish to pass upstream and downstream;

The plan should be drawn to an appropriate scale, which must be clearly stated.

- **Cross sections**

Where works encroach into any watercourse, the you should provide cross sections both upstream and downstream of the proposed works. Cross sections should be drawn as if looking downstream on the watercourse and should include details of existing and proposed features and water levels.

- **Longitudinal sections**

We need longitudinal sections taken along the centre line of the watercourse. These must show the existing and proposed features including water levels, bed levels and structures. They should extend both upstream and downstream of the proposed work.

- **Detailed drawings**

These are to show details of the existing and proposed features such as the following:

The materials to be used for any structures. The location of any proposed service pipes or cables which may affect the future maintenance of the watercourse.
Details of any tree, shrub, hedgerow, pond or wetland area that may be affected by the proposed works.
Details of any planting or seeding.
Dams and weirs. (We need a plan showing the extent of the water impounded (held back) under normal and flood conditions so that we can assess the possible effect on land next to the river. The plan should also show any land drains to be affected.)

7 Construction details

You may need separate consents for the permanent works and any temporary works that do not form part of the permanent works. In some cases it may be possible to apply for both the Permanent Works and Temporary within one application.
Temporary works could include, for example, scaffolding, cofferdams (watertight enclosures) across a watercourse, or temporary diversions of water while work is carried out.

For any temporary work, we need to know how you are proposing to carry out the work. So you need to send us a “method statement” that includes details you plan to take to minimum disruption and reduce any unwanted effects while the work is being carried out. Please refer to Pollution Prevention Guidelines as part of your work

We need to know when you are proposing to carry out the work and how long you think it will take. When you are planning the work you need to make sure that you have allowed enough time for us to consider your application.

8 Environment Agency interests

Please tick the appropriate boxes.

If you answer, yes, to any of the questions, you will probably need extra licenses or consents from the Environment Agency before you start work.

You should make sure that you have enough time to get all approvals you need before you start work. If you don"t, this could delay the work.

9 Planning approvals

Please provide details of any planning permissions you may have or are applying for that relate to this proposal.

10 Maintaining the structure

We need to know who will be responsible for maintenance both during construction work and after the work has finished.

11 Effects on the environment

We have a legal duty to protect and improve the environment, so we must consider the environmental effects of your proposal

You may need to carry out an environmental appraisal to assess the effects of your work. You should contact us before you send us your application so that we can advise you on this. If you don"t, your application could be delayed.

Your environmental appraisal should identify and consider all likely effects on the environment. You should consider the direct and indirect effects the work has on sites and features of interest and species of particular value.

Include any specific measures you plan to minimise any disruption and reduce any unwanted effects while the work is ongoing.

Set out any opportunities for you to improve the environmental value of the site. This may include creating water features, planting trees and shrubs that would normally grow at the site, providing bird nesting boxes or creating sustainable places for wildlife to live.

If as part of a planning permission we have asked for an environmental appraisal, you must send it to us with all the other supporting documents we need.

If your site falls within, is next to or is linked to a nature conservation site, contact us as soon as possible to discuss your proposals before you send us your application.

Under the European Habitats Regulations, we must make sure that Flood Defence Consent does not have a direct or indirect negative effect on any site specified in the regulations, including:

- sites of special scientific interest (SSSIs)
- designated special areas of conservation (SACs);
- special protection areas (SPAs);
- Listed RAMSAR sites; and
- scheduled ancient monuments (SAMs)

Under the Habitats Regulations, we must consult Natural England or the Countryside Council for Wales (or CADW in the case of ancient monuments).

You may want to contact these organisations yourself to get their views on your proposal.

12 Water Framework Directive (WFD) assessment

It is important that as part of the application process your proposals are assessed for compliance with the Water Framework Directive (WFD) objectives.

A proposal included in a consent application might cause a water body to deteriorate in status and/or prevent its ecological objectives from being met.

To achieve the goals of the WFD, we must ensure any new scheme or activity is assessed for WFD compliance. It"s essential that you contact your area teams to discuss any requirement to undertake a WFD assessment prior to submitting your application.

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13 Fees

The fee for Ordinary Watercourse Consent, where charged, is £50 per structure. Please contact us before you send us this application for confirmation on the appropriate fee.

14 Checklist

Tick the relevant documents in this section so that we know what you are sending

The Data Protection Act 1998

This section sets out our rights and responsibilities under the Data Protection Act 1998.

15 Declaration

By signing this section you are declaring that, as far as you know, the information you have provided, including the map and any supporting documents, is true. We will not accept an unsigned application.

- If you are applying as a company which has trustees, all trustees must sign the declaration.
- If you are applying as a limited company, a company secretary or a director must sign the declaration.

Next steps

Please return the form OW01„Application for Ordinary Watercourse Consent" and any supporting documents to us either by hard copy or email.

If you need help filling in this form, contact the person who sent it to you or contact us as shown below.

Email: **LLFA@stoke.gov.uk**

Website: www.stoke.gov.uk

If you are happy with our service, please tell us. It helps us to identify good practice and encourages our staff. If you"re not happy with our service, please tell us how we can improve it.

Please tell us if you have any communication needs such as needing information in a different language or alternative format (for example, in large print, in Braille or on CD).